

AMENDMENT TO H.R. 4591
OFFERED BY MR. GENE GREEN OF TEXAS

Page 16, line 4, insert “Such costs and benefits include both qualitative and quantitative costs and benefits.” after “costs and benefits.”.

Page 16, line 21, through page 18, line 5 amend paragraph 2 to read as follows:

1 “(2) CONSIDERATIONS.—(A) In taking an ac-
2 tion under paragraph (1), the Administrator shall
3 consider—

4 “(i) the effects of such chemical sub-
5 stance or mixture on health and the mag-
6 nitude and impact of the exposure of
7 human beings to such chemical substance
8 or mixture;

9 “(ii) the effects of such chemical sub-
10 stance or mixture on the environment and
11 the magnitude and impact of the exposure
12 of the environment to such chemical sub-
13 stance or mixture;

14 “(iii) the benefits of such chemical
15 substance or mixture for various uses and

1 the availability, risks, and economic con-
2 sequences of substitutes for such uses, con-
3 sidering factors described in clause (iv);

4 “(iv) the reasonably ascertainable eco-
5 nomic consequences of the proposed prohi-
6 bition or other regulation, after consider-
7 ation of the effect on the national econ-
8 omy, small business, technological innova-
9 tion, the environment, and public health,
10 including the degree to which the manufac-
11 ture, processing, distribution in commerce
12 for export, use, or disposal of the chemical
13 substance or mixture is necessary to pre-
14 vent significant harm to an important sec-
15 tor of the economy; and

16 “(v) national and international con-
17 sequences that are likely to arise as a re-
18 sult of domestic regulatory action (includ-
19 ing the possible consequences of using al-
20 ternative products or processes).

21 “(B) Nothing in this paragraph shall be
22 interpreted to prevent the Administrator from
23 using the information described in paragraph
24 (3), along with any other information provided
25 during the comment period with respect to the

1 rulemaking under paragraph (1), to carry out
2 this paragraph.”.

Page 37, after line 5, insert the following new subsection:

3 “(k) DECISION CONCERNING A RULEMAKING.—If,
4 within 1 year after a decision described in subsection
5 (e)(1)(A)(i) or (ii), the United States has not, pursuant
6 to Article 22 of the POPs Convention or Article 14 of the
7 LRTAP POPs Protocol, deposited its instrument of ratifi-
8 cation, acceptance, accession, or approval with the Con-
9 vention or Protocol’s relevant body, for that chemical sub-
10 stance or mixture, the Administrator shall publish in the
11 Federal Register—

12 “(1)(A) a notice of a decision to initiate a rule-
13 making process regarding the chemical substance or
14 mixture; or

15 “(B) a notice that a rulemaking process regard-
16 ing the chemical substance or mixture will not be
17 initiated and the reason for this decision, including,
18 as appropriate, a discussion of the relevant informa-
19 tion obtained by the Administrator under this sec-
20 tion as well as other factors that the Administrator
21 may have evaluated; or

22 “(2) a notice indicating the status of the Ad-
23 ministrator’s considerations on whether to publish a

- 1 notice under paragraph (1), and an estimate of the
- 2 timeframe expected for such a decision.”.